



## RRSC Discussion Questions & Advice

### 1. From your perspective, what consideration should TVA give to establishing Section 26a permit application fees?

- TVA should define full cost recovery in more detail. For example, does this just include staff time or does it include running the entire program. TVA should give consideration to full cost recovery for ALL applications.
- It is felt that rate payers should not be in any way responsible for subsidizing the cost to process any of these permits.
- TVA should consider evaluation the standard permit category and potentially further divide into smaller projects versus larger, more costly projects.
- TVA should consider a program that reminds individuals of the requirement to transfer the permit into their name.
- TVA should consider further clarifying off-reservoir jurisdiction to better educate the public of the necessity of when a permit is required.
- TVA should consider waiving fees for those activities that are beneficial.
- TVA should consider clarifying the scope of actions that a Section 26a permits covers. As of now it appears to be a onetime construction permit.
- TVA should consider a more stringent program that ensures the transfer of ownership occurs. This program alone will assist TVA in monitoring existing Section 26a permits.
- TVA should consider issuing permits that are for a shorter period of time rather than a lifetime permit.
- TVA should consider a difference in application fees based on landowner rights. For example, an individual who owns the property in fee simple (flowage property) should pay a lesser fee.
- If the rate payer is not to cover any costs associated with this program, TVA should consider raising fees to ensure that full cost recovery is occurring for the entire program, not just the cost associated with processing the application.
- TVA should consider a program that consists of the current staff conducting safety/condition inspections while out in the field of the existing structures.
- TVA should implement a signage program that would involve installing signs along the shoreline informing the public that this portion of the shoreline is subject to Section 26a.
- TVA should consider working with title attorneys, etc. to ensure that the transfer of permit ownership disclosure is part of the closing process when purchasing a new home/land.
- TVA should consider a communication program that follows up with the permittee.
- If this is a construction permit similar to other permitting actions that other agencies conduct, then TVA should consider requiring an additional step involving notifying

TVA that the facility has been constructed. At this point, TVA staff should conduct an inspection to ensure that the facility was constructed as permitted.

- TVA should consider working with the Corps of Engineers and adopting some of their process where there is an opportunity for process improvement.
- TVA should consider evaluating the current permit process in attempt to improve efficiencies. This should include putting some more burden on the applicant, such as requiring the applicant to prove land rights, etc.
- TVA should consider evaluating the entire Section 26a permitting program to ensure that TVA is doing all that they are responsible for, such as ensuring the facilities are built as permitted, etc.
- TVA should evaluate the non-standard application process to ensure that it is as efficient as possible as to not accrue unnecessary costs.
- TVA should consider a periodic re-evaluation of the entire permitting process.
- TVA should consider a periodic review of permitted facilities on a rotational basis.
- TVA should consider an annual or periodic maintenance or renewal fee.
- TVA should consider using the increased revenue from this increase to improve upon their regulatory actions, including but not limited to, cleaning up derelict structures etc.

## **2. What consideration should TVA give to the timing of the periodic re-evaluation of Section 26a permit application fees?**

- TVA should consider re-evaluating fees more frequently than it has in the past. 14 years is too long a period of time.
- TVA should consider coinciding this re-evaluation along with another ongoing review of additional process.
- TVA should consider avoiding this re-evaluation from occurring during an election year.
- TVA should consider a 5 year re-evaluation program such as a 10% increase over those 5 years or CPI, whichever is less, but ensuring that full cost recovery occurs.

## **3. What tools or methods would be most effective in communicating a Section 26a application fee increase to the public in order to convey its necessity and appropriateness?**

- TVA should formally communicate to those that are affected by the fee increase.
- TVA should be prepared to communicate clearly that the intent of this application fee increase is to capture the cost of the service.